

# IN THE MICHIGAN COURT OF APPEALS

## ORDER

Re: **Donald Melvon Smith v Wayne Circuit Judge**  
Docket No. **280722**  
L.C. No. **98-002006-01**

William C. Whitbeck, Chief Judge, acting under MCR 7.211(E)(2), orders:

The motion to waive fees pursuant to MCR 7.202(4) and MCR 7.204(B)(2) is DENIED because MCL 600.2963 mandates that a prisoner pursuing a civil action be liable for the filing fees. Any future motions filed with this Court must be accompanied by the full filing fee.

Within 21 days of the certification of this order, plaintiff shall pay to the Clerk of the Court the filing fee of 475.00 (\$375 for the entry fee and \$100.00 for the motion fee) because the prisoner account statement shows a balance in excess of the filing fee amount. MCL 600.2963(2). Additionally, **plaintiff shall submit a copy of this order and refile the pleadings with the payment.** Failure to comply with this order will result in the appeal not being filed in this Court.

The Clerk of this Court shall furnish two copies of this order to plaintiff and return plaintiff's pleadings with this order.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 27 2007

Date

*Sandra Schultz Mengel*  
Chief Clerk